

--	--

- [Query](#)
- [Reports](#)
- [Utilities](#)
- [Logout](#)

CLOSED

**U.S. District Court
Middle District of Florida (Ft. Myers)
CIVIL DOCKET FOR CASE #: 2:09-cv-00105-JES-SPC**

Avard et al v. Astrue et al
Assigned to: Judge John E. Steele
Referred to: Magistrate Judge Sheri Polster Chappell
Cause: 05:0552 Freedom of Information Act

Date Filed: 02/20/2009
Date Terminated: 12/23/2009
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Carol Avard

represented by **Karen Lynne Nixon**
Avard Law Offices, PA
PO Box 101110
Cape Coral, FL 33910
239/945-0808
Fax: 239/945-3332
Email: knixon@avardlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Douglas D. Mohney

represented by **Karen Lynne Nixon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Michael J. Astrue
Commissioner of Social Security

represented by **Kyle Scott Cohen**
US Attorney's Office - FLM
Room 3-137
2110 First St
Ft Myers, FL 33901
239/461-2200
Email: Kyle.Cohen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Social Security Administration

represented by **Kyle Scott Cohen**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/20/2009	<u>1</u>	COMPLAINT against Michael J. Astrue, Social Security Administration (Filing fee \$350 receipt number F012049) filed by Carol Avar, Douglas D. Mohny.(drm) (Entered: 02/23/2009)
02/23/2009	<u>2</u>	STANDING ORDER: Filing of documents that exceed twenty-five pages.Signed by All Divisional Judges on 8/20/08. (drm) (Entered: 02/23/2009)
02/24/2009	<u>3</u>	RELATED CASE ORDER AND NOTICE of designation under Local Rule 3.05 - track 2. Notice of pendency of other actions due by 3/9/2009. Signed by All Divisional Judges on 2/24/2009. (LAG) (Entered: 02/24/2009)
02/24/2009	<u>4</u>	INTERESTED PERSONS ORDER. Certificate of interested persons and corporate disclosure statement due by 3/9/2009. Signed by All Divisional Judges on 2/24/2009. (LAG) (Entered: 02/24/2009)
03/27/2009	<u>5</u>	ORDER TO SHOW CAUSE for failure to file Notice of Pendency of Other Actions and Certificate of Interested Persons as to Carol Avar, Douglas D. Mohny. Signed by Magistrate Judge Sheri Polster Chappell on 3/27/2009. (LAG) (Entered: 03/27/2009)
03/30/2009	<u>6</u>	RESPONSE TO ORDER TO SHOW CAUSE re <u>5</u> Order to show cause filed by Carol Avar, Douglas D. Mohny. (Attachments: # <u>1</u> Exhibit)(Nixon, Karen) (Entered: 03/30/2009)

03/30/2009	<u>7</u>	NOTICE of pendency of related cases re <u>3</u> Related case order and notice of designation of track 2 per Local Rule 1.04(d) by Carol Avar, Douglas D. Mohney. Related case(s): NO. (dm) (Entered: 03/31/2009)
03/30/2009	<u>8</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>4</u> Interested persons order by Carol Avar, Douglas D. Mohney. (dm) (Entered: 03/31/2009)
04/01/2009	<u>9</u>	ORDER that no further action will be taken re <u>5</u> Order to show cause as to Douglas D. Mohney, Carol Avar. Signed by Magistrate Judge Sheri Polster Chappell on 4/1/2009. (LAG) (Entered: 04/01/2009)
06/12/2009	<u>10</u>	MOTION to extend time to serve Summons by Carol Avar. (Nixon, Karen) (Entered: 06/12/2009)
06/12/2009	<u>11</u>	ENDORSED ORDER granting <u>10</u> Plaintiff's Motion for Extension of Time to Serve Summons. The Plaintiffs shall have up to and including July 20, 2009, within which to serve Summons on the defendants. Signed by Magistrate Judge Sheri Polster Chappell on 6/12/2009. (Chappell, Sheri) (Entered: 06/12/2009)
07/17/2009	<u>12</u>	MOTION to extend time to to Serve the Summons Upon Defendants by Carol Avar. (Nixon, Karen) (Entered: 07/17/2009)
07/18/2009	<u>13</u>	ENDORSED ORDER granting <u>12</u> Plaintiff's Second Motion for Extension of Time to Serve Summons. The Plaintiff shall have up to and including August 19, 2009, within which to serve summons on Defendant. Signed by Magistrate Judge Sheri Polster Chappell on 7/18/2009. (Chappell, Sheri) (Entered: 07/18/2009)
08/19/2009	<u>14</u>	MOTION to extend time to Serve Summons by Carol Avar. (Nixon, Karen) (Entered: 08/19/2009)
08/20/2009	<u>15</u>	ENDORSED ORDER granting <u>14</u> Plaintiff's Motion for Extension of Time to Serve Summons. For good cause shown, the Plaintiff shall have up to and including September 18, 2009 within which to serve the Summons on the Defendant. Signed by Magistrate Judge Sheri Polster Chappell on 8/20/2009. (Chappell, Sheri) (Entered: 08/20/2009)
09/04/2009		Summons Issued as to Michael J. Astrue, Social Security Administration, U.S. Attorney and U.S. Attorney General. (SLU) (Entered: 09/04/2009)
09/14/2009	<u>16</u>	PROOF of service by Carol Avar as to Commissioner of Social Security by U.S. Certified Mail (Nixon, Karen) Modified on 9/14/2009 to correct docket text (dm). (Entered: 09/14/2009)

09/14/2009	<u>17</u>	PROOF of service by Carol Avarad as to Attorney General of the United States by U.S. Certified Mail (Nixon, Karen) Modified on 9/15/2009 to correct docket text (drm). (Entered: 09/14/2009)
09/14/2009	<u>18</u>	PROOF of service by Carol Avarad as to U.S. Attorney by U.S. Certified Mail (Nixon, Karen) Modified on 9/15/2009 to correct docket text (drm). (Entered: 09/14/2009)
10/13/2009	<u>19</u>	MOTION to Dismiss for Lack of Jurisdiction by Michael J. Astrue, Social Security Administration. (Attachments: # <u>1</u> Exhibit A - Verzi Declaration)(Cohen, Kyle) (Entered: 10/13/2009)
10/16/2009	<u>20</u>	INTERESTED PERSONS ORDER as to Michael J. Astrue and Social Security Administration. Certificate of interested persons and corporate disclosure statement due by 10/27/2009. Signed by All Divisional Judges on 10/16/2009. (drm) (Entered: 10/16/2009)
10/23/2009	<u>21</u>	Unopposed MOTION to extend time to Reply to Defendant's Motion to Dismiss by Carol Avarad. (Nixon, Karen) (Entered: 10/23/2009)
10/26/2009	<u>22</u>	CERTIFICATE of interested persons and corporate disclosure statement re <u>20</u> Interested persons order by Michael J. Astrue, Social Security Administration. (Cohen, Kyle) (Entered: 10/26/2009)
10/26/2009	<u>23</u>	ORDER granting <u>21</u> the Plaintiff's Uncontested Motion for Extension of Time to Reply to Defendant's Motion to Dismiss. The Plaintiff shall have up to and including NOVEMBER 20, 2009 to file a responsive pleading. Signed by Magistrate Judge Sheri Polster Chappell on 10/26/2009. (LMH) (Entered: 10/26/2009)
10/30/2009	<u>24</u>	Unopposed MOTION to extend time to File Case Management Report by Carol Avarad. (Nixon, Karen) (Entered: 10/30/2009)
11/02/2009	<u>25</u>	ORDER granting <u>24</u> the Plaintiffs Uncontested Motion for Extension of Time to File Case Management Report. The parties shall have up to and including DECEMBER 13, 2009 to file the Case Management Report. Signed by Magistrate Judge Sheri Polster Chappell on 11/2/2009. (LMH) (Entered: 11/02/2009)
11/20/2009	<u>26</u>	Unopposed MOTION to extend time to Reply to Defendant's Motion to Dismiss by Carol Avarad. (Nixon, Karen) (Entered: 11/20/2009)
12/08/2009	<u>27</u>	ENDORSED ORDER granting <u>26</u> Plaintiff's Uncontested Motion for Extension of Time to Reply to Defendant's Motion to Dismiss. The Court finds good cause to allow the Plaintiffs up to and including December 20, 2009 to file their reply to the Defendant's Motion to Dismiss.. Signed by Magistrate Judge Sheri Polster Chappell on 12/8/2009. (Chappell, Sheri) (Entered: 12/08/2009)

12/11/2009	<u>28</u>	Unopposed MOTION to extend time to File the Case Management Report by Carol Avar. (Nixon, Karen) (Entered: 12/11/2009)
12/14/2009	<u>29</u>	ORDER granting <u>28</u> the Plaintiff's Uncontested Motion for Extension of Time to File Case Management Report. The Plaintiff shall have up to and including JANUARY 12, 2010 to submit the Case Management Report.. Signed by Magistrate Judge Sheri Polster Chappell on 12/14/2009. (LMH) (Entered: 12/14/2009)
12/21/2009	<u>30</u>	Unopposed MOTION to dismiss Without Prejudice by all plaintiffs. (Nixon, Karen) (Entered: 12/21/2009)
12/22/2009	<u>31</u>	ORDER dismissing case without prejudice with each party to bear its own costs and attorney's fees. The Clerk shall enter judgment accordingly and close the file. Signed by Judge John E. Steele on 12/22/2009. (RKM) (Entered: 12/22/2009)
12/23/2009	<u>32</u>	JUDGMENT Signed by Deputy Clerk on 12/23/2009. (kma) (Entered: 12/23/2009)

PACER Service Center			
Transaction Receipt			
09/22/2011 15:05:55			
PACER Login:	pb0232	Client Code:	foiaproj
Description:	Docket Report	Search Criteria:	2:09-cv-00105-JES-SPC
Billable Pages:	3	Cost:	0.24